



WEB COPY



O.P.No.21 of 2023

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N.SATHISH KUMAR, J.

This Petition has been filed under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the petitioners.

2.Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that the first petitioner is the wife of the deceased G.Kumaresan, the second petitioner is the son of the deceased and first respondent is the mother of the deceased. The said G.Kumaresan died on 24.02.2020. The petitioners are the legal heirs of the deceased G.Kumaresan. The deceased G.Kumaresan died intestate and though due and diligent search has been made for a Will, none has been found in respect of the debts mentioned in the schedule. The deceased left the



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amount specified in the Schedule, within the jurisdiction of this Court. The deceased Srinivasan left behind the movable properties namely, monthly pension of Rs.16,055/-, the provident fund amounting to Rs.6,40,000/-, Gratuity amount of Rs.3,12,600 and the amounts are lying in the State Bank of India, Account No.30024919637. Hence, the petitioners have approached this Court for grant of succession certificate in favour of the petitioners with power to collect the debts as specified in the schedule.

4. Despite service of notice, none appeared for the respondents and the evidence of the P.W.1 remain unchallenged.

5. The first petitioner was examined as P.W.1 and marked Exs.P1 to Ex.P.5.

5. P.W.1 in her evidence had narrated the averments made in the petition stating that the petitioners have filed this petition for grant of Succession Certificate in favour of the petitioners. Ex.P.3 is the computer generated death certificate of the deceased of G.Kumaresan. Ex.P.3 has



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been filed to show that the deceased G.Kumaresan died on 24.02.2020.

Ex.P.7 is the copy of the letter dated 19.10.2019 issued by the Metropolitan Transport Corporation, Chennai addressed to the petitioner. Ex.P.6 is the Paper publication and none objected for the same.

6. Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the petitioners have succeeded the estate of the deceased G.Kumaresan. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the petitioners with power to collect and to receive deposit specified in the schedule together with interest as applicable till the date of withdrawal, is issued.

29.11.2023

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